



Department of Civil Service

KATHY HOCHUL
Governor

TIMOTHY R. HOGUES
Commissioner

PAR-06-22

POLICY ADVISORY REPORT

TO: All Municipal Civil Service Agencies

FROM: Municipal Services Division

SUBJECT: Removal of "Time of War" Requirement from Section 85 of Civil Service Law

DATE: August 30, 2022

The purpose of this Policy Advisory Report is to notify local civil service agencies of changes to section 85 of the Civil Service Law relating to veteran credits.

Governor Hochul signed Senate bill S763 which removes all references to "time of war" service from Section 85 of the Civil Service Law as an eligibility requirement for veteran credits. While "time of war" service is still mentioned in the New York State Constitution, time of war periods are no longer defined within the Civil Service Law. Therefore, the Department will no longer verify time of war service when awarding veteran credits for appointments to positions in the State service. The Department recommends that all local civil service agencies also observe this change and no longer verify time of war service when awarding veteran credits for appointments to local positions.

It is anticipated that the impact of this change will not affect a significant number of veterans. Prior to the signing of Senate bill S763, all qualifying military service since August 2, 1990, has been time of war service. That left a 15-year period between the end of the Viet Nam War and the start of the Persian Gulf War (except for specific service in Lebanon, Grenada and Panama) that would not have been qualifying service. With the elimination of the time of war requirement, veterans who have served on full-time active federal military duty other than for training during that 15-year period now qualify for veteran status.

The Veterans Rights for Municipalities manual has been updated to reflect this change and is available for your reference at the following link:

https://www.cs.ny.gov/msd/msdonline/pdf/manuals_guides/M-6012_veterans'_rights_manual.pdf

Should you have any questions or concerns, please email them to assistance.request@cs.ny.gov.